

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

NESTOR ALVAREZ, individually and on  
behalf of K.A., a child with a disability,

Plaintiffs,

v.

SWANTON LOCAL SCHOOL DISTRICT,

Defendant.

**CASE NO. 3:18-cv-01768**

**JUDGE CARR**

**PLAINTIFF'S RESPONSE  
MEMORANDUM IN OPPOSITION  
TO DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT**

STATEMENT

In order to promote judicial economy and obviate the need from restating the same arguments contained in the amended motion for summary judgment plaintiff relies on the amended motion for summary judgment *with corrected page numbers* (ECF 26), filed on January 6, 2020, in response and opposition to defendant's motion for summary judgement (ECF 23), filed on January 3, 2020.

CONCLUSION

Based upon the foregoing, the Court should deny defendant's motion for summary judgment.

Dated: Independence, Ohio  
June 1, 2020

Respectfully submitted,

/s/ Andrew K. Cuddy  
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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing Response Memorandum in Opposition to Defendant's motion for summary judgment was filed electronically on June 1, 2020 and has been served via the ECF system.

/s/ Andrew K. Cuddy  
Andrew K. Cuddy  
Attorney for Plaintiff